Remarks

Reconsideration of the present application, as amended, is respectfully requested.

Of previously pending claims 1-27, all were rejected. Specifically, claims 1-27 were rejected as being anticipated by U.S. Patent Application Publication No. 2005/0111845A1, published May 26, 2005 and filed July 3, 2004 by S. Nelson *et al.* In response, claims 1, 3, 5, 10, 12, 14, 19, 21, and 23 have been amended. Claims 2, 11 and 20 have been canceled.

Previously pending claims 1-27 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2005/0111845A1, which published on May 2005 to Nelson *et al.* ("Nelson"). The applicants address the rejections with respect to amended independent claims 1, 10 and 19, which were amended to better distinguish and particularly point out their invention.

As amended, independent claim 1 reads:

> 1. A method for providing a data path through a Small Form Factor Pluggable (SFP) transceiver, the SFP transceiver being substantially interfaced with a host device, the SFP transceiver including a plurality of single-ended pins, the method comprising:
>
> determining if the SFP transceiver is suitable for use in supporting lower speed applications;
>
> using the plurality of single-ended pins to provide at least one of a TX CLOCK signal, a TX DATA signal, an RX CLOCK signal, and an RX DATA signal when it is determined that the SFP transceiver is being used for the lower speed application; and
>
> using the plurality of single-ended pins to provide at least one control signal and at least one status signal when it is determined that the SFP transceiver is not being used for the lower speed application.

The cited Nelson reference does not describe the use of pins to provide "at least one control signal and at least one status signal when it is determined that the SFP transceiver is not being used for the lower speed application," and to provide "at least one of a TX CLOCK signal, a TX DATA signal, an RX CLOCK signal, and an RX DATA signal when it is determined that the SFP transceiver is being used for the lower speed application." Instead, the Nelson patent describes changing the clock speeds of the components along the data path. "For instance, various embodiments of the present invention automatically select the data rates in

transceivers/transponders by adjusting the data rate of a CDR, a MUX/DEMUX, a SERDES, or other component or device." Page 3, paragraph 27. The Nelson reference also describes a bypass operation. But the bypass operation does not involve pins which operate in one fashion for low speed applications and in another fashion for high speed applications, as recited in applicants' claim. See Fig. 4 and page 5, paragraph 60.

Therefore, claim 1 is not anticipated by the cited Nelson reference and should be allowed. Claims 3-9 should also be allowed for at least being dependent upon an allowable base claim.

Amended independent claim 10 reads:

> 10. A method for providing a data path through a Small Form Factor Pluggable (SFP) transceiver, the SFP transceiver being substantially interfaced with a host device, the host device including a serializer-deserializer (SERDES) and a plurality of lines which substantially bypass the SERDES, the SFP transceiver including a plurality of pins which are arranged to interface with the plurality of lines which substantially bypass the SERDES, the method comprising:
>
> using the plurality of pins arranged to interface with the plurality of lines which substantially bypass the SERDES to provide at least one control signal and at least one status signal;
>
> determining when the SFP transceiver is arranged to be used to support lower speed applications; and
>
> using the plurality of pins arranged to interface with the plurality of lines which substantially bypass the SERDES to provide at least one of a TX CLOCK signal, a TX DATA signal, an RX CLOCK signal, and an RX DATA signal when it is determined that the SFP transceiver is arranged to support the lower speed applications.

By the same arguments as above with respect to claim 1, the Nelson reference does not teach the two using steps, as recited above. The applicants further note Nelson *et al.* describes a SERDES with a variable data rate to handle different speeds. See page 5, paragraph 57.

The Nelson reference does not anticipate the applicants' invention as recited in claim 10. Claim 10 should also be allowed. Likewise, claims 12-18 should be allowed for at least being dependent upon an allowable base claim.

Finally, amended independent claim 19 recites:

> 19. A device suitable for use in a network, the device comprising:

a board, the board including a connector block, a serializer-deserializer (SERDES), and a plurality of lines which are coupled to the connector block and substantially bypass the SERDES;

a Small Form Factor Pluggable (SFP) transceiver, the SFP transceiver being arranged to interface with the connector block, the SFP transceiver including a plurality of single-ended pins arranged to interface with the plurality of lines which are coupled to the connector block and substantially bypass the SERDES;

code devices for determining when the SFP transceiver is suitable for use in supporting lower speed applications; ~~and~~

code devices for using the plurality of pins to provide at least one of a TX CLOCK signal, a TX DATA signal, an RX CLOCK signal, and an RX DATA signal when it is determined that the SFP transceiver is arranged to support the lower speed applications; and

code devices for using the plurality of single-ended pins to provide at least one control signal and at least one status signal when it is determined that the SFP transceiver is not arranged to support the lower speed applications.

By the same arguments above, claim 19 is not anticipated by the Nelson reference and should be allowed. Claims 21-27 should be allowable for at least being dependent upon an allowable base.

Therefore, in view of amendments above and the remarks directed thereto, the applicants respectfully request that all rejections be removed, that claims 1, 3-10, 12-19, and 22-27 be allowed and the case be passed to issue. If a telephone conference would in any way expedite the prosecution of the application, the Examiner is asked to call the undersigned at (408) 868-4088.

Respectfully submitted,

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